IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2747 of 1998

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL BHIKHUBHAI BHIMJIBHAI

Versus

DIRECTOR OF AGRICULTURE MARKETING & RURAL FINANCE

Appearance:

MR BR KYADA for the Petitioner
MR SHIRISH JOSHI for Respondent No. 1
GOVERNMENT PLEADER for Respondent No. 1,5
RULE SERVED for Respondent No. 2-3
MR TUSHAR MEHTA for Respondent No. 4

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 24/02/2003

ORAL JUDGEMENT

The petitioner before this Court is an elected member of the respondent no.4 Agricultural Produce Market Committee, Savarkundla (hereinafter referred to as 'the Committee').

It appears that the election of the Managing Committee held on 19th January, 1998 and the result thereof declared on 20th January, 1998 were challenged before the Director, Agriculture Marketing and Rural Finance in Appeal No.7/1998. The said Appeal No.7/1998 was partly allowed under the judgment and order dated 30th March, 1998. Under the said judgment, the elections of the Committee with respect to the constituency of the agriculturists and the purchase and sale constituency were set aside. A fresh election was ordered in accordance with the directions issued therein. Feeling aggrieved, the petitioner has preferred the present petition.

Pending this petition, the implementation of the impugned order was stayed. Further the term of the said elected members has expired in the month of July, 2002. The said Committee was superseded by the State Government in the month of May, 2002 and an administrator has been appointed to manage the affairs of the Society.

In above view of the matter, the cause of action shall not survive. Hence, the petition is dismissed. Rule is discharged. Interim stay stands vacated. The parties shall bear their own costs.

(Ms. R.M. Doshit, J.)

/sakkaf